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**TELECOPIER NO.: 703-308-4556 or 308-4242****Telephone: 703-308-1235**

**TO:** Patent Technology Center 1600  
Customer Service Representative  
Group Art Unit 1634 - Examiner Betty J. Forman  
U.S. Patent and Trademark Office

**FROM:** Judith A. Sherman (858-450-8436) for   
Stephanie L. Seidman, Reg. No. 33,779  
Customer No. 24961

**DATE:** January 22, 2003

**Our File:** 25491-2401G - PAIR/PALM Date Correction

**SUBJECT:** **REQUEST FOR "File Contents History" DATE CORRECTION**  
**U.S. Patent Application 09/030,571 - Filed 02/24/98**  
**CPA Filed April 04, 2001;**  
**PTO Confirmation No. 7542**

**NO. OF PAGES INCLUDING THIS PAGE: 7**

On April 04, 2001 a Continued Prosecution Application was filed via Express Mail in response to the PTO's non-final rejection mailed October 04, 2000 for the subject application. However, the return receipt postcard was date-stamped April 05, 2001 which resulted in all PALM/PAIR entries being recorded as 04/05/01. Attached please find a copy of the CPA Transmittal, Express Mail label, the stamped postcard and Private PAIR "File History Contents" with seven (7) 04-05-01 entries relating to the CPA.

We respectfully request that the Private PAIR and PALM filing date entry for the CPA filed in the subject application be corrected to 04-04-01 for all relative entries.

Thank you for your assistance. If you require any further information, please advise.

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Heller Ehrman White & McCauliffe LLP 4350 La Jolla Village Drive, 7th Floor, San Diego, CA 92122-1248 www.hewm.com

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**CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL**

Address to:  Commissioner for Patents BOX CPA Washington, DC 20231	Attorney Docket No.	25491-2401G
	First Named Inventor	Cantor
	Express Mail Label No	EL685076689US
	Group Art Unit	1656
	Examiner	Houtteman, S.

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d)

(continued prosecution application (CPA)) of prior application number 09/030,571,  
filed on February 24, 1998, entitled POSITIONAL SEQUENCING BY HYBRIDIZATION

- ☐ Enter the unentered amendment previously filed on \_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).  
a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:  
b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:  
a. ☐ PTO-1449  
b. ☐ Copies of IDS Citations

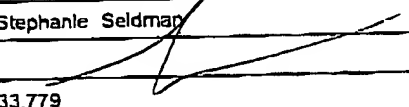
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	63-20 =	43	$\times \$18.00 =$	\$774.00
	INDEPENDENT CLAIMS (37 CFR 1.18(b))	10-3 =	7	$\times \$80.00$	\$560.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16 (d))			$+\$ \_\_\_ =$	\$0.00
				BASIC FEE	\$710.00
				Total of above Calculations =	\$2,044.00
				Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28)	\$1022.00
				TOTAL =	\$1022.00

- Small entity status:  
a. ☒ is claimed.  
b. ☐ is not claimed.
- The Commissioner is hereby authorized to credit overpayments or charge any fees to Deposit Account No. 50-1213. If a Petition for extension of time is needed, this paper is to be considered such Petition.  
a. ☒ Fees required under 37 CFR 1.16.  
b. ☒ Fees required under 37 CFR 1.17.  
c. ☒ Fees required under 37 CFR 1.18.
- ☒ A check in the amount of \$1467.00 is enclosed, including the above fees and \$445.00 for a three-month extension of time for response to the outstanding Office Action (37 CFR 1.17(a)(3)).
- Other:


**10. NEW CORRESPONDENCE ADDRESS (if applicable)**

NAME	Stephanie Seidman				
ADDRESS	Heller Ehrman White & McAuliffe LLP, 4250 Executive Square, 7th Floor				
CITY	La Jolla	STATE	California	ZIP CODE	92037
COUNTRY	U.S.A.	TELEPHONE	858-450-8400	FAX	858-587-5360

**11. SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

NAME	Stephanie Seidman
SIGNATURE	
REGISTRATION NO. (Attorney)	33,779
DATE	April 4, 2001

**COPY**



21	04-05-2001	Request for Extension of Time - Granted
20	04-05-2001	Workflow - Request for CPA - Begin
19	10-04-2000	Mail Non-Final Rejection
18	10-02-2000	Non-Final Rejection
17	06-09-2000	Miscellaneous Incoming Letter
16	06-02-2000	Preliminary Amendment
15	10-15-1999	Information Disclosure Statement (IDS) Filed
14	10-18-1999	Preliminary Amendment
13	05-21-1999	Miscellaneous Incoming Letter
12	06-03-1999	Case Docketed to Examiner in GAU
11	05-27-1999	Communication - Re: Power of Attorney (PTOL-308)
10	05-10-1999	Change in Power of Attorney (May Include Associate POA)
9	05-06-1999	Application Is Now Complete
8	11-12-1998	Preliminary Amendment
7	07-30-1998	Change in Power of Attorney (May Include Associate POA)
6	09-28-1998	Case Docketed to Examiner in GAU
5	09-14-1998	Application Dispatched from OIPE
4	06-08-1998	Application Is Now Complete
3	03-27-1998	Incomplete Application under Rule 53(b) - Filing Date Assigned
2	03-19-1998	Application Scanned
1	03-03-1998	Initial Exam Team nn

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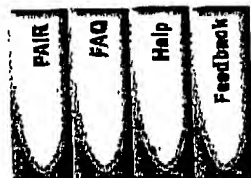
PAIR Page



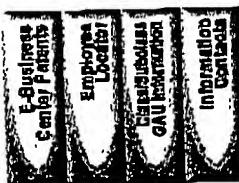
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## PATENT APPLICATION INFORMATION RETRIEVAL



Other Links



Search results for application number: 09/030,571		
Application Filing Date: 02-24-1998	Class / Sub-Class: 435/006.000	
Issue Date of Patent:	Location: OIPE - INITIAL EXAM PICS SCAN, CP2-	
Examiner Name: FORMAN, BETTY	Status: Final Rejection Mailed	
Group Art Unit: 1634	Attorney Docket	25491-2401G
Earliest Publication No:	Patent Number:	
Earliest Publication	Customer Number:	24961
Confirmation Number:	7542	

Foreign Priority

Continuity Data

Publication Review

## File Contents History

Number	Date	Contents Description
65	01-21-2003	Mail Final Rejection (PTOL - 326)
64	01-17-2003	Final Rejection
63	12-19-2002	Miscellaneous Incoming Letter
62	12-17-2002	CRF Is Good Technically / Entered into Database
61	12-09-2002	Date Forwarded to Examiner
60	11-19-2002	Response after Non-Final Action
59	11-06-2002	Mail Notice of Informal or Non-Responsive Amendment
58	10-07-2002	Terminal Disclaimer Filed
57	09-27-2002	Information Disclosure Statement (IDS) Filed
56	10-23-2002	Date Forwarded to Examiner
55.1	10-07-2002	Informal or Non-Responsive Amendment after Examiner Action
55	10-07-2002	Response after Non-Final Action
54	10-07-2002	Request for Extension of Time - Granted
53	09-05-2002	Correspondence Address Change

1/22/2003

http://pair-direct.uspto.gov/cgi-bin/final/pairsearch.pl

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52	06-05-2002	Mail Non-Final Rejection
51	06-03-2002	X-Post-Legal Complete Rejection
50	05-27-2002	Non-Final Rejection
49	03-20-2002	Date Forwarded to Examiner
48	03-07-2002	Response to Election / Restriction Filed
47	03-05-2002	Applicant Has Filed a Verified Statement of Small Entity Status in Compliance with 37 CFR 1.27
46	03-05-2002	Record Petition Decision of Granted to Make Entity Status Small
45	02-20-2002	Petition Entered
44	02-20-2002	Workflow - Request for CPA - Begin
43	04-05-2001	Workflow - Request for CPA - Finish
42	02-07-2002	Case Docketed to Examiner in GAU
41	02-06-2002	Mail Restriction Requirement
40	02-05-2002	Requirement for Restriction / Election
39	01-16-2002	Examiner Interview Summary Record (PTOL - 413)
38	01-04-2002	Amendment/Argument after Notice of Appeal
37	01-04-2002	Notice of Appeal Filed
36	01-04-2002	Request for Extension of Time - Granted
35	01-03-2002	Examiner Interview Summary Record (PTOL - 413)
34	11-28-2001	New or Additional Drawing Filed
33	10-24-2001	Workflow - Drawings Received at Contractor
32	10-24-2001	Workflow - Drawings Sent to Contractor
31	09-19-2001	Case Docketed to Examiner in GAU
30	08-02-2001	Correspondence Address Change
29	06-19-2001	Mail Final Rejection (PTOL - 326)
28	06-18-2001	Final Rejection
27	04-12-2001	Date Forwarded to Examiner
26	04-05-2001	Continuing Prosecution Application - Continuation (ACPA)
25	04-05-2001	Mail Express Abandonment (During Examination)
24	04-05-2001	Express Abandonment (during Examination)
23	04-05-2001	Workflow - Request for CPA - Finish
22	04-05-2001	Request for Extension of Time - Granted


<http://pair-direct.uspto.gov/cgi-bin/final/pairsearch.pl>

PAIR; Request for re-association and/or re-submission for Customer No. 24961

Page 1 of 3

**Sherman, Judith A.**

**From:** Mary.Small2@USPTO.GOV  
**Sent:** Friday, December 27, 2002 9:15 AM  
**To:** JSherman@HEWM.com  
**Cc:** dwalker@HEWM.com; SSeidman@HEWM.com  
**Subject:** RE: PAIR: Request for re-association and/or re-submission for Customer No. 24961

Judy,

Applications 09030571, 09601970, 09887496, 09905405, and 09957194 are all now associated with Customer Number 24961. Please let me know if you are still unable to view any of these in Private PAIR.

★ Regarding the change of filing date for the 09030571 CPA, please contact Customer Service for Technology Center 1600 at 703-308-1235.

Per the direction of Patents management, the EBC no longer processes change of address forms. Please use form PTO/SB/122 for future Customer Number reassociation requests. The Technology Center staff will enter the change in PALM/PAIR, and the paper will be matched to the application file. This way, the correct correspondence address will be available both electronically and with the physical file, significantly reducing the possibility of mailing errors.

Thanks very much for your patience with our ever-changing processes.

Happy holidays!

**Mary**

**Mary Small**  
PALM Project Staff  
Office of Patent Automation  
Search and Information Resources Administration  
USPTO  
(703) 306-5849

-----Original Message-----

**From:** JSherman@HEWM.com [mailto:JSherman@HEWM.com]  
**Sent:** Thursday, December 26, 2002 7:42 PM  
**To:** mary.small2@uspto.gov  
**Cc:** JSherman@HEWM.com; dwalker@HEWM.com; SSeidman@HEWM.com  
**Subject:** PAIR: Request for re-association and/or re-submission for Customer No. 24961

Dear Mary,

Further to our conversation last week, the following five applications are no longer valid in PAIR under the subject Customer No. and appear to fall into that "override" category created when Change of Address notices are submitted to the PTO.

I have provided a portion of the file history that shows events surrounding or necessitating the Changes of Address transmittals and PAIR status. Again, being unaware of the PTO's procedure, it was not Stephanie Seidman's (Attorney of Record) intent to be identified by the

1/22/2003

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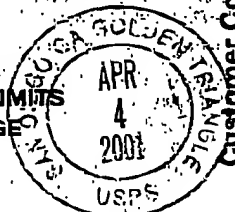
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Time In 1854	Return Receipt Fee /	
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No Delivery Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>	Acceptance Clerk Initials /	Total Postage & Fees \$ 12.25

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EL685076689US April 4, 2001:

CLIENT #: 25491-2401G, SLS:PKS:lm  
ENCLOSURES: TRANSMITTAL OF CONTINUED PROSECUTION  
APPLICATION (CPA) (in duplicate); PRELIMINARY  
AMENDMENT; EXTENSION OF TIME (3 MONTHS);  
CHECK FOR \$1467.00 and RETURN POSTCARD.  
INVENTOR(S): CANTOR, et al.  
SERIAL NO: 09/030,571 FILED: 02/24/98  
FOR: POSITIONAL SEQUENCING BY HYBRIDIZATION



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